

Wetlands Bureau Decision Report

Decisions Taken
12/08/2003 to 12/12/2003

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-00421 300 MAIN STREET REALTY LLC
NASHUA Salmon Brook

Requested Action:

Perform construction activities requiring the disturbance of a total of 13,194 sq. ft. of previously impacted stream channel and embankments in or adjacent to the designated prime wetlands of Salmon Brook for the replacement of two (2) deteriorated and failed 187 lin. ft. x 10 ft. dia. CMP culverts with twin 187 lin. ft. x 114 in. dia. polymer coated corrugated steel culvert pipes, associated concrete walls and rip-rap scour protection.

Conservation Commission/Staff Comments:

Nashua Conservation Commission has reviewed and commented on the project and their recommendations have been incorporated into permit conditions.

APPROVE PERMIT:

Perform construction activities requiring the disturbance of a total of 13,194 sq. ft. of previously impacted stream channel and embankments in or adjacent to the designated prime wetlands of Salmon Brook for the replacement of two (2) deteriorated and failed 187 lin. ft. x 10 ft. dia. CMP culverts with twin 187 lin. ft. x 114 in. dia. polymer coated corrugated steel culvert pipes, associated concrete walls and rip-rap scour protection.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated January 3,2003,(revised 3-18-03) as received by the Department on April 03, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Orange construction fencing shall be placed at the limits of construction; siltation/erosion controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
8. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions.
9. Unconfined work within Salmon Brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
10. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with straw bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Silt fencing must be removed once the area is stabilized.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. Work shall be done during low flow.
21. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, their professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work. The Nashua Conservation Commission shall be notified, in advance, of the date and time of this meeting.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. A prime wetlands public hearing was held on this project proposal on November 05, 2003.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
7. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
9. Based on the inspection conducted on 03/21/2003 by Wetlands Bureau staff Frank D. Richardson, the project involves minor environmental impacts.
10. Based on findings #s 1-9 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2003-02520 GARDNER, HUGH & LUCI
DURHAM Oyster River

Requested Action:

Replace existing 8' x 16' float with a 10' x 24' float connected to an existing ramp and crib along the Oyster River in Durham.

Inspection Date: 12/09/2003 by Christina Altimari

APPROVE PERMIT:

Replace existing 8' x 16' float with a 10' x 24' float connected to an existing ramp and crib along the Oyster River in Durham.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated November 6, 2003, as received by the Department on November 10, 2003.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the

Department of Environmental Services ("DES") Wetlands Bureau.

3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on December 9, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
4. The NH Division of Historical Resources has been notified of the proposed project plans and has no record of any known properties of architectural, historical, archaeological, engineering, or cultural significance within the vicinity of the proposed project.
5. NH Natural Heritage Inventory (NHNHI) has record of two stated threatened plant species within the vicinity of the project, Exserted Knotweed (*Polygonum exsertum*) and Stout Bulrush (*Scirpus robustus*). NHNHI also has record of one state endangered plant species within the vicinity of the project, Turk's-Cap Lily. DES field inspection on December 9, 2003 finds that the NHNHI identified plant species will not be negatively impacted as a result of the proposed increase in the size of the float.
6. This dock is consistent with other tidal dock approvals in the seacoast region.

MINOR IMPACT PROJECT

1997-01735 LEGERE, NANCY
SPOFFORD Spofford Lake

Requested Action:

Retain modifications to an existing docking structure.

APPROVE AFTER THE FACT:

Retain a 3 ft 6 in by 21 ft seasonal dock attached to a triangular shaped 8 ft 6 in by 12 ft deck over the water, adjacent to a 11 ft by 15 ft by 24 ft deck on 152 ft of frontage on Spofford Lake, Chesterfield.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 20, 1998.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or

revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 26 feet from the shoreline at full lake elevation.
7. This permit does not allow for maintenance dredging.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant proposed docking facility is less impacting than current DES rules and therefore less impacting to the environments under the department's jurisdiction per Wt 302.03.
4. The applicant converted a portion of the permanent docking structure to a seasonal construction.
5. The department considers seasonal docks less impacting than permanent docking facilities.

1999-01355 CONANT, GILMAN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Applicant requests that permit be amended to allow replacement of both existing piers.

APPROVE AMENDMENT:

Amend permit to read: Remove an existing 6 ft x 30 ft hinged pier and a 4 ft x 32 ft hinged pier, construct a 7 ft x 3 ft concrete pad shoreward of the full elevation, and install two 6 ft x 40 ft hinged piers on an average of 297 ft of shoreline frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 1, 2003 as received by the Department on October 8, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Concrete pad shall be placed above and/or landward of a vertical plane located along the normal high water line (Elevation 504.32).
5. No portion of the docks shall extend more than 40 ft from a vertical plane at the full lake elevation.
6. Seasonal piers shall be removed from the lake for the non-boating season.
7. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a Minor Impact Project per Rule 303.03(d), modification of a 4 slip docking facility.
2. There is no easterly abutter to this property.

2000-02460 KREH, GORDON & MARGO
CANAAN Unnamed Stream Goose Pond

Requested Action:

Temporarily impact 575 square feet of forested wetland for installation of underground utility line. Retain approximately 5,340

square feet of fill, 24-inch x 20-foot culvert, and 20-inch x 30-foot culvert in forested wetlands to provide driveway access and improve roadway drainage on Kilton Road and Davis Trail Road.

Conservation Commission/Staff Comments:

In a letter to the applicant dated November 14, 2000, the Chairman of the Canaan Conservation Commission indicated that a complaint form had been submitted to the DES Wetlands Bureau. The letter also urged the applicant to file after-the-fact applications with the DES Wetlands Bureau and the DES Site Specific Program.

On November 17, 2000, DES Wetlands Bureau received a Complaint Form submitted by the Chairman of Canaan Conservation Commission.

Forestry Notification received by DES Wetlands Bureau on December 4, 2000.

Inspection Date: 12/19/2000 by Earle L Chase

Inspection Date: 12/05/2000 by Earle L Chase

APPROVE AMENDMENT:

Temporarily impact 575 square feet of forested wetland for installation of underground utility line. Retain approximately 5,340 square feet of fill, 24-inch x 20-foot culvert, and 20-inch x 30-foot culvert in forested wetlands to provide driveway access and improve roadway drainage on Kilton Road and Davis Trail Road.

With Conditions:

1. Retained work shall be in accordance with Site Plans (Figures 1 & 2) by IT Corporation dated July 9, 2001, as received by the Department on September 20, 2001; and Site Plans (Figures 3 & 4) by Shaw Environmental & Infrastructure, Inc., dated May 14, 2002, as received by the Department on May 20, 2002.
2. Proposed work shall be in accordance with plans by Pathways Consulting LLC dated August 15, 2003, and received by the Department on August 22, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Site Specific Program.
5. Work shall be conducted during low flow.
6. All steps shall be taken during the construction and restoration necessary to assure that no water quality violations occur on the Property.
7. Areas of temporary impact shall be regraded to original contours following completion of work.
8. A qualified consultant shall supervise the restoration activities of the temporary impact areas to ensure that the restoration is accomplished pursuant to this Approval.
9. The qualified consultant shall consult with the County Conservation District to determine the appropriate wetland seed mix to be applied to the wetlands restoration areas on the Property. Documentation confirming use of the appropriate seed mix shall be forwarded to DES.
11. Invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) shall be controlled by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
10. The qualified consultant shall inspect the temporary impact areas, and submit a monitoring report with photographs to DES within 60 days of the completion of construction. The monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
11. The permittee shall designate a qualified professional responsible for assuring that the restoration area is properly constructed, monitored, and remedial measures are taken if necessary.
12. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The project is categorized as a Minor Project, per Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. Project activities are necessary to provide access to a single-family residence and to make drainage improvements to the existing Class VI section of Kilton Road and to Davis Trail Road.
3. Based on a field inspection of the property by DES Wetlands Bureau staff on December 19, 2000, the Department finds that the project will not have a significant adverse environmental impact on Goose Pond.
4. The applicant, Gordon Kreh, proposes to restore approximately 150 square feet of forested wetlands on Lot 37 (Canaan Tax Map 4) by removing approximately 30 cubic yards of unauthorized fill material. The DES Wetlands Bureau acknowledges that the unauthorized fill was not placed in wetlands by the applicant.
5. The applicant has received written permission from the owner of Lot 37 (Canaan Tax Map 4), Robert Stark, to remove the unauthorized fill material from the wetlands and restore the area to pre-existing conditions.
6. The applicant has sufficiently demonstrated that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has adequately addressed the requirements for application evaluation identified in Rule Wt 302.04(a).

2002-01144 REMILLARD, BRYAN
CHESTER Tributary To North Pond

Requested Action:

Request for permit amendment authorizing revised plans depicting stormwater treatment improvements with no change in wetlands or surface water impacts.

Conservation Commission/Staff Comments:

Per a telephone conversation with the Chairman of the Chester Conservation Commission (ConCom) on December 9, 2003, the ConCom has no concerns with the proposed project amendment.

In a letter to the DES Wetlands Bureau dated June 12, 2002, the Chester ConCom indicated that the application was missing several items, including a wetlands delineation, vernal pool locations and drainage calculations.

APPROVE AMENDMENT:

Fill approximately 16,200 square feet of palustrine emergent and scrub-shrub wetlands to construct a roadway to provide access to an 8-lot residential subdivision. As compensatory mitigation for wetlands impacts preserve via conservation easement approximately 22.8 acres, including 16.3 acres of wetlands and 6.5 acres of contiguous upland buffer, on site.

With Conditions:

1. All work shall be in accordance with the following plans received by the Department on October 8, 2003:
 - a. The Subdivision Plan (Sheet 2 of 13) by Cornerstone Survey Associates Inc. dated April 2002 and revised October 7, 2003;
 - b. The Topography Plans (Sheets 3 & 4 of 13) by Cornerstone Survey Associates Inc. dated April 2002 and revised December 30, 2002;
 - c. The Rosewood Lane Grading & Drainage Plan (Sheet 5 of 13) by McKenzie Engineering Group, Inc. dated June 15, 2001 and revised August 20, 2003;
 - d. The Rosewood Lane Grading & Drainage Plan (Sheet 6 of 13) by McKenzie Engineering Group, Inc. dated June 15, 2001 and revised June 18, 2003;
 - e. The Construction Details I (Sheet 7 of 13) by McKenzie Engineering Group, Inc. dated May 15, 2002 and revised June 18, 2003;

and

f. The Construction Details II (Sheet 8 of 13) by McKenzie Engineering Group, Inc. dated May 15, 2003 and revised August 20, 2003.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback, except as deemed necessary by the Department to access Lot 56.

3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.

4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

5. This permit is contingent on approval by the DES Site Specific Program.

6. This permit is contingent on approval by the DES Subsurface Systems Bureau.

7. Work shall be conducted during low flow.

8. Unconfined work in surface waters, excluding work associated with installation of a temporary cofferdam, shall be conducted during periods of low flow.

9. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.

10. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.

11. Temporary cofferdams shall be entirely removed immediately following construction.

12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

14. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

15. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

16. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

17. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.

18. Proper headwalls shall be constructed within seven days of culvert installation.

19. Stone aprons shall be installed at culvert outlets where appropriate to dissipate flow velocities and prevent scour and erosion.

20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

23. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

24. This permit is contingent upon the execution of a conservation easement on 16.4 acres as depicted on the Conservation Easement Plan (Sheet 1 of 1) by Cornerstone Survey Associates Inc. dated August 2002 and revised April 23, 2003, as received by the Department on May 2, 2003.

25. The conservation easement to be placed on the preservation areas shall be granted to the Town of Chester, acting through its Conservation Commission, and shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

26. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.

27. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

28. The conservation easement areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to

construction.

29. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.

30. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services.

With Findings:

1. This permit amendment authorizes revisions to the originally approved plans to improve stormwater treatment. Specifically, the revised plans incorporate measures to ensure that stormwater runoff from the roadway at the wetland crossing is treated prior to discharging into wetlands and surface waters.

2. The proposed stormwater improvement measures will improve water quality and result in no additional wetlands or surface waters impacts.

3. On December 4, 2003 the DES Site Specific Program issued amended Permit WPS-6515-A authorizing the proposed stormwater treatment improvements.

2003-01016 TWO "M" CONSTRUCTION LLC
PELHAM Unnamed Stream

Requested Action:

Install a 20 ft. long by 16 ft. wide ConSpan or equivalent bridge system over an intermittent stream, which feeds into a designated prime wetland, to provide access to a single-family residential building lot of which 5.69 acres will be placed in open space protection.

APPROVE PERMIT:

Install a 20 ft. long by 16 ft. wide ConSpan or equivalent bridge system over an intermittent stream, which feeds into a designated prime wetland, to provide access to a single-family residential building lot of which 5.69 acres will be placed in open space protection.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated May 10, 2003, as received by the Department on May 27, 2003.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. There shall be no further alteration of areas in wetlands jurisdiction for lot development, driveways, culverts, septic setback or other construction activities.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

6. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks along an intermittent stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project in April of 2001. Field inspection determined the installation of a bridge span over the intermittent stream would result in no direct impacts in an area which otherwise might be considered adjacent to the designated prime wetland.

2003-01061 BISHOP, DAVID/LYNN
BETHLEHEM Unnamed Stream

Requested Action:

Approve after the fact disturbance of 199 linear feet of intermittent stream for the construction of a wildlife pond.

Conservation Commission/Staff Comments:

Original complaint received from Conservation Commission.

APPROVE AFTER THE FACT:

Disturb 199 linear feet of intermittent stream for the construction of a wildlife pond.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Wt 204.06.

2003-01134 FERWERDA DEVELOPMENT CO INC
ROCHESTER Unnamed Wetland

Requested Action:

Fill approximately 3,300 square feet of forested wetlands to upgrade a previously permitted 14-foot wide gravel roadway to provide access to Phase II of a residential development comprised of 40 townhouse and apartment units.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated June 15, 2003 the Rochester Conservation Commission declined to make a decision regarding the project due to the scarcity of wetland flagging, indicators of roadway center lines and building corners. The Conservation Commission also noted inadequate installation of siltation and erosion controls and evidence of sedimentation in wetlands associated with construction of Phase I of the development and recommended that the Wetlands Bureau conduct a field inspection of the site.

Inspection Date: 09/03/2003 by Christian P Williams

APPROVE PERMIT:

Fill approximately 3,300 square feet of forested wetlands to upgrade a previously permitted 14-foot wide gravel roadway to provide access to Phase II of a residential development comprised of 40 townhouse and apartment units.

With Conditions:

1. All work shall be in accordance with the following plans by Norway Plains Associates, Inc., as received by the Department on June 5, 2003:
 - a. The Overall Site Plan (Sheet 2) and the Erosion and Sedimentation Control Details (Sheet 11) dated February 2003;
 - b. The Grading, Drainage and Erosion Control Plan (Sheet 4) dated February 2003 and revised May 29, 2003;
 - c. The Preliminary Conceptual Development Plan (NHDES Wetlands Submittal Sheet A) dated September 2002 and revised May 29, 2003; and
 - d. The Wetlands Impact Plan - Phase 2 Development (NHDES Wetlands Submittal Sheet B) dated May 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on Lot 19 (Rochester Tax Map 239).
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. At least 48 hours prior to the start of construction a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, their professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Any further alteration of areas on Lot 18 (Rochester Tax Map 239) or adjacent lots associated with access to or construction of future phases of development that are within the jurisdiction of the DES Wetlands Bureau shall require a new application and further permitting by the DES Wetlands Bureau.
7. Proposed permanent impacts to areas within the Department's jurisdiction associated with future phases of development on Lot 18 (Rochester Tax Map 239) or adjacent lots shall be reviewed cumulatively with previously permitted jurisdictional impacts.
8. Receipt by the Department of the Preliminary Conceptual Development Plan (NHDES Wetlands Submittal Sheet A) by Norway Plains Associates, Inc. dated September 2002 and revised May 29, 2003 shall not obligate the Department to authorize future wetlands impacts as depicted on the Preliminary Conceptual Development Plan.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. This project represents Phase II of a multi-phase residential development. The applicant has submitted to the Department a Preliminary Conceptual Development Plan for proposed future phases of development.
3. On November 7, 2002 the DES Wetlands Bureau issued Wetlands and Non-Site Specific Permit No. 2002-01059 authorizing

jurisdictional impacts associated with Phase I of the residential development.

4. In a letter to the DES Wetlands Bureau dated June 15, 2003 the Rochester Conservation Commission declined to make a decision regarding the application for Phase II of the development due to the scarcity of wetland flagging, indicators of roadway center lines and building corners. The Conservation Commission also noted inadequate installation of siltation and erosion controls and evidence of sedimentation in wetlands associated with construction of Phase I of the development and recommended that the Wetlands Bureau conduct a field inspection of the site.

5. On September 3, 2003 DES Wetlands Bureau staff conducted a field inspection of the property in response to the recommendation of the Rochester Conservation Commission. During the inspection, DES Wetlands Bureau staff observed numerous areas of unauthorized wetlands fill and other violations of Wetlands and Non-Site Specific Permit No. 2002-01059 associated with construction of Phase I of the residential development. These violations included the placement of slash in wetlands, failure to regrade to original contours, stabilize and replant with wetland seed mix temporary wetland impact areas, and sedimentation in wetlands resulting from lack of proper erosion and siltation controls or improperly installed erosion and siltation controls.

6. On October 23, 2003 the DES Wetlands Bureau received documentation, including photographs, from the applicant's authorized agent, Norway Plains Associates, Inc., indicating that the wetlands violations noted in finding #5 above, had been corrected.

7. The Department finds that information received from the applicant's authorized agent, Norway Plains Associates, Inc., on August 21, 2003, sufficiently addresses the drainage, flooding and stormwater runoff concerns raised by numerous residents of Alder Creek Lane. Furthermore, the Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS-6623 on November 21, 2003 is indicative that all requirements of Env-Ws 415 have been satisfied.

8. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.

9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

10. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2003-01432 HALL REVOC. TRUST, DAVID
MONT VERNON Horton Pond

Requested Action:

Fill approximately 8,950 square feet of palustrine forested wetlands to provide access to 4 building lots associated with a 24 lot residential subdivision and construct a dry hydrant. Preserve 32.91 acres of Common Land, consisting of approximately 5.27 acres of jurisdictional wetlands and 27.64 acres of upland.

Conservation Commission/Staff Comments:

Conservation Commission is supportive of the proposed impacts and establishment of a conservation easement on 32.91 acres.

APPROVE PERMIT:

Fill approximately 8,950 square feet of palustrine forested wetlands to provide access to 4 building lots associated with a 24 lot residential subdivision and construct a dry hydrant. Preserve 32.91 acres of Open Space, consisting of approximately 5.27 acres of jurisdictional wetlands and 27.64 acres of upland.

With Conditions:

1. All work shall be in accordance with Plans by Monadnock Survey, Inc., plan sheets 1 through 5 revised October 7, 2003, plan sheets 6, 8, 9 revised September 2, 2003, and plan sheet 7 revised June 16, 2003, as received by the Department on November 12, 2003.

2. This permit is contingent on approval by the DES Site Specific Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands

permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.

7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

8. Work shall be conducted during low flow.

9. Proper headwalls shall be installed.

10. Appropriate erosion/siltation/turbidity controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.

11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. This permit is contingent upon the establishment of 32.91 acres of Open Space as depicted on plans by Monadnock Survey, Inc., as received by the Department on November 12, 2003. Said Open Space shall consist of approximately 5.27 acres of jurisdictional wetlands and approximately 27.64 acres of upland buffer.

17. The purpose and use limitations, as described in the Declaration of Covenants and Restrictions, and boundaries of the 32.91 acres of Open Space shall be referenced in the deed which accompanies the sales transaction for each of the lots in this subdivision that abut said Common Land.

18. The purpose and use limitations of the 32.91 acres of Open Space shall run with the land, and both existing and future property owners shall be subject to said purpose and use limitations.

19. The boundaries of the 32.91 acres of Open Space shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

20. Signs to indicate the location of and restrictions on the 32.91 acres of Open Space shall be posted every 150 feet along the boundary of the conservation area prior to construction.

21. There shall be no removal of the existing vegetative undergrowth within the 32.91 acres of Open Space, and the placement of fill, construction of structures, and storage of vehicles or hazardous materials within said Open Space is prohibited.

22. Activities in contravention of the purpose and use limitations of the 32.91 acres of Open Space shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

23. For proposed Lots 7-92, 7-91-12, 7-91-11 and 7-91-10, all activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h) for projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01439 MILLS, ROBERT
NEWBURY Lake Sunapee

Requested Action:

Applicant requests reconsideration of denial based on revised plans.

Conservation Commission/Staff Comments:

Con. Com. did not respond to application.

APPROVE RECONSIDERATION:

Reconsider and approve permit to: Repair a 6 ft x 6 ft crib and a 6 ft x 4.5 ft crib supporting a 7 ft 10 in x 16 ft 7 in pier extending from 264 sq ft of deck to be reconfigured and repaired, and replace a seasonal boatlift on 100 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised November 5, 2003, as received by the Department on November 6, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration of the pier and no increase in the size of the existing deck.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Existing rocks shall be used for the crib repair. No Additional Rocks.
9. The seasonal lift shall be removed for the non-boating season.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(d), modification of a permanent 2 slip pier.
2. The proposed modifications will bring the structure closer to compliance with Rule Wt 402.02, Dimensions with no net increase in the environmental impact, construction surface area and number of slips provided, therefore Rule Wt 402.22 is waived.

2003-02021 GOLDMAN, MARK
SUNAPEE Lake Sunapee

Requested Action:

Remove 67 sq ft of crib pier, repair the remaining 5 ft x 8 ft cribs supporting the remaining 5 ft x 71 ft pier, and install a 9 ft x 40 ft canopy over two slips on 400 ft of frontage on Lake Sunapee.

Conservation Commission/Staff Comments:

Con. Com. signed application and support project.

Proposed canopy is nonconforming in size; canopy size on Sunapee is 10 ft x 20 ft; Applicant is requesting 9 ft x 40 ft.

APPROVE PERMIT:

Remove 67 sq ft of crib pier, repair the remaining 5 ft x 8 ft cribs supporting the remaining 5 ft x 71 ft pier, and install a 9 ft x 40 ft canopy over two slips on 400 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Central Lake Dock Co. dated October 21, 2003, as received by the Department on October 23, 2003.
2. All rocks remaining after the reduction in the crib and other construction related debris. shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. No portion of the pier shall extend more than 71 feet from the shoreline at full lake elevation.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Canopies, including their framework, shall be of a seasonal construction type. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(d), modification of a 4 slip permanent pier.

2003-02442

BROWCHUCK, BRETT

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing combination permanent/seasonal 3 slip docking facility and replace it with a 3 slip seasonal docking facility consisting of two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft seasonal walkway, install a seasonal boatlift in the center slip, install two seasonal PWC lifts, one in each outside slip on 260 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com concerned about the overall length, overall length is within DES rules.

APPROVE PERMIT:

Permanently remove an existing combination permanent/seasonal 3 slip docking facility and replace it with a 3 slip seasonal docking facility consisting of two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft seasonal walkway, install a seasonal boatlift in the center slip, install two seasonal PWC lifts, one in each outside slip on 260 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Robert Coppo dated December 8, 2003, as received by the Department on December 8, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. The existing structure shall be completely removed prior to the installation of the seasonal docks.
7. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. The boatlifts and PWC lifts shall be removed from the lake for the non-boating season.
10. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
11. Installation of a seasonal dock shall not require modification, regarding, recontouring, of the shoreline, such as, for example, installation of a concrete pad for construction of a hinged dock.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The seasonal docks do not extend lakeward more than 40 ft, addressing the Conservation Commissions concerns.

2003-02482 BARKER, PAUL & JUDITH
LYME Post Pond

Requested Action:

Temporarily impact a total of 567 sq ft of lake bed and bank along 5 linear ft of shoreline in Post Pond for the installation of a dry hydrant.

Conservation Commission/Staff Comments:

The conservation commission signed the minimum impact expedited application.

APPROVE PERMIT:

Temporarily impact a total of 567 sq ft of lake bed and bank along 5 linear ft of shoreline in Post Pond for the installation of a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by North Country RC&D Area Council dated September 24, 2003 as received by the Department on November 5, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Area shall be regraded to original contours following completion of work.
4. Work shall be done during low flow.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Appropriate siltation/erosion controls, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Upland and bank areas landward of the dry hydrants shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Post Pond.
8. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the hydrants will take place.
9. Dredged material not being used to restore the area shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft in non-tidal surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The installation of the dry hydrant is at the request of the Lyme Fire Department.
5. The conservation commission signed the minimum impact application form.

2003-02488 MARRIOTT, RICHARD
TUFTONBORO Lake Winnepesaukee

Requested Action:

Relocate wall within the second floor of the residential portion of a dwelling/boathouse over public submerged lands on 541 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

APPROVE PERMIT:

Relocate wall within the second floor of the residential portion of a dwelling/boathouse over public submerged lands on 541 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

With Conditions:

1. The wall shall be relocated in accordance with plans by Stokes dated October 27, 2003, as received by the Department on November 5, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. All construction activities shall comply with the requirements and restrictions as outlined in the Consent Decree between the State and Richard E. Marriott, Docket No. 00-E-0158.
5. The relocation of the wall shall not result in a change of use of any room affected by the construction.
6. The relocation of the wall shall not result in the increase of square footage of floor space within the structure.

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(a), since it does not meet any of the criteria of Rules Wt 303.02, Wt 303.04, or 303.05.
2. The relocation of the wall will provide a functionally equivalent use with no change in the footprint or outside dimension of the structure and therefore, meets the requirements of RSA 482-A:26

2003-02521 CHARLESTOWN, TOWN OF
CHARLESTOWN Clay Brook

Requested Action:

Dredge and fill 1,724 square feet in riverine wetlands and within the banks of Clay Brook to replace the existing 10' diameter culvert/bridge with a 24' x 9' concrete box structure

APPROVE PERMIT:

Dredge and fill 1,724 square feet in riverine wetlands and within the banks of Clay Brook to replace the existing 10' diameter culvert/bridge with a 24' x 9' concrete box structure

With Conditions:

1. All work shall be in accordance with plans by McFarland-Johnson, Inc. dated July 2003, as received by the Department on

November 10, 2003.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream channel and associated banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department has determined the proposed project will have no adverse impacts on the environment and will enhance public safety.

MINIMUM IMPACT PROJECT

2003-01694 KALIL, CHARLES
BARTLETT Saco River

Requested Action:

Impact approximately 17,900 square feet within the bed and banks of the Saco River to complete repairs to an existing stone keyway and a washed out section of an existing island. Work will include dredging 7,000 square feet within a dugout pond (located in an overflow channel and hydrologically connected to the Saco River) to reclaim washed out gravel/cobble; filling 1,900 square

feet within the bed of the river to repair an existing stone keyway; filling approximately 6,000 square feet within a washed out area of the island to repair a previously dry gravel/cobble point bar; and installing riprap along 100 linear feet of the island (3,000 square feet) to repair a washed out bank.

Inspection Date: 09/24/2003 by Craig D Rennie

DENY PERMIT:

Deny permit to impact approximately 17,900 square feet within the bed and banks of the Saco River to complete repairs to an existing stone keyway and a washed out section of an existing island. Work will include dredging 7,000 square feet within a dugout pond (located in an overflow channel and hydrologically connected to the Saco River) to reclaim washed out gravel/cobble; filling 1,900 square feet within the bed of the river to repair an existing stone keyway; filling approximately 6,000 square feet within a washed out area of the island to repair a previously dry gravel/cobble point bar; and installing riprap along 100 linear feet of the island (3,000 square feet) to repair a washed out bank.

With Findings:

Standards for Approval:

1. This is a Minimum Impact Project per NH Administrative Rule Wt 303.04 (v), as impacts are needed to repair the washed out section of the island and the existing stone keyway; and Wt 303.04 (k), maintenance dredging within a man-made dugout pond (located within an overflow channel) to provide continued usefulness.
2. Pursuant to RSA 482-A:11, II, before granting a permit under this chapter, the department may require reasonable proof of ownership by a private landowner-applicant.

Findings of Fact:

- 3 On July 24, 2003, a Standard Dredge and Fill Application was received by DES that proposed to impact 19,000 square feet within the bed and banks of the Saco River to complete repairs to an existing stone keyway and a washed out section of an existing island.
4. In a letter dated August 8, 2003, DES issued a "Notice of Incompleteness" to the applicant because of insufficient filing fees.
5. On August 19, 2003, DES received the additional application fee, and in a letter dated August 20, 2003, DES issued a "Notice of Administrative Completeness" to the applicant.
6. DES staff inspected the property on September 24, 2003 and found that the keyway structure and island property were not abandoned and therefore qualified as a minimum impact repair project.

Findings in support of denial:

7. The applicant has failed to provide evidence which demonstrates proof of ownership of the island property as required by RSA 482-A:11, II.

2003-01897

KALIL, CHARLES

DUMMER Unnamed Wetland

Requested Action:

Retain approximately 360 square feet of impact within wetlands to upgrade an existing gravel access road (Old Ferry Road) and for replacing 2 deteriorated wooden culverts with an 18" x 20' culvert and a 15" x 20' culvert. Additional work to be completed includes installing a 6' x 20' permanent dock within an existing pond/emergent wetland with 60 square feet of fill to provide access to the dock, and impacting 8 linear feet (80 square feet) within the bank of the Androscoggin River to construct a gravel boat ramp.

APPROVE PERMIT:

Retain approximately 360 square feet of impact within wetlands to upgrade an existing gravel access road (Old Ferry Road) and for replacing 2 deteriorated wooden culverts with an 18" x 20' culvert and a 15" x 20' culvert. Additional work to be completed includes installing a 6' x 20' permanent dock within an existing pond/emergent wetland with 60 square feet of fill to provide access to the dock, and impacting 8 linear feet (80 square feet) within the bank of the Androscoggin River to construct a gravel boat ramp.

With Conditions:

1. All work shall be in accordance with plans and application, as received by the Department on 11/13/03.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Work shall be done during low flow.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a Minimum Impact Project in accordance with NH Administrative Rule Wt 303.04 (f), as impacts are less than 3,000 square feet.

2003-02107 NH DEPT OF TRANSPORTATION
DURHAM Bunnker Creek

Requested Action:

CONFIRM EMERGENCY AUTHORIZATION ISSUED ON 09/24/03 remove and reconstruct the southeast corner abutment/wing impacting 1,045 sq. ft. (950 temporary) of an estuarine subtidal wetland during low tide.

APPROVE PERMIT:

CONFIRM EMERGENCY AUTHORIZATION ISSUED ON 09/24/03 remove and reconstruct the southeast corner abutment/wing impacting 1,045 sq. ft. (950 temporary) of an estuarine subtidal wetland during low tide. NHDOT project #99014T.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of a bridge.
2. The project was necessary to repair the abutment/wing of the bridge to prevent the need to close the roadway.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on September 24, 2003.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2003-02554 DONABEDIAN BROTHERS, INC
SALEM Unnamed Pond

Requested Action:

Fill approximately 12,300 square feet of an isolated, man-made irrigation pond with no inlet or outlet that has reverted to open water and emergent wetland to increase crop production.

APPROVE PERMIT:

Fill approximately 12,300 square feet of an isolated, man-made irrigation pond with no inlet or outlet that has reverted to open water and emergent wetland to increase crop production.

With Conditions:

1. All work shall be in accordance with the dimensions on Salem Tax Map 144 as received by the Department on November 14,

- 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the degree of environmental impact.
2. On August 13, 2003 a pre-application meeting with a representative of the applicant and the DES Wetlands Bureau was performed.
3. The isolated, man-made irrigation pond has reverted to open water and emergent wetland and no inlet or outlet with minimal functions and values.
4. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.

FORESTRY NOTIFICATION

2003-02604 RAB, JOHN
CORNISH Unnamed Stream

COMPLETE NOTIFICATION:
Cornish Tax Map 6, Lot# 114

2003-02643 OSTREICHER, ELLEN
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 1, Lot# 22-2

2003-02644 MONADNOCK PAPER MILLS INC
BENNINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Bennington Tax Map 9, Lot# 2

2003-02645 NEW ENGLAND FORESTRY FOUNDATION
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 12, Lot# 29

2003-02646 OLSON, JEANE
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 15, Lot# 59

2003-02647 PEPIN, LEO & PAULINE BERGERON
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map 137, Lot# 135

2003-02649 HERTEL, CONSTANCE
MEREDITH Unnamed Stream

COMPLETE NOTIFICATION:
Meredith Tax Map R30, Lot# 3

2003-02650 HALEY, CLIFFORD
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Map 250, Lot# 205

2003-02651 OLSON, ERIC
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 5, Lot# 6 & 40

2003-02665 STATE OF NH, DIV. OF FOREST & LANDS
LINCOLN Unnamed Stream

COMPLETE NOTIFICATION:
Lincoln Tax Map 1, Lot# 1

2003-02666 STATE OF NH, DIV. OF FOREST & LANDS
WOODSTOCK Unnamed Stream

2003-02667 LEIKAUSKAS, RICH
WARREN Unnamed Stream

COMPLETE NOTIFICATION:
Warren Tax Map 12, Lot# 47 & 50

2003-02670 SANBORN FARM LLC, ANDREW
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont Tax Map 214, Lot# 9

2003-02672 STURM RUGER CO INC
CROYDON Unnamed Stream

COMPLETE NOTIFICATION:
Croydon Tax Map 7, Lot# 325

2003-02690 JONES, ANTHONY & ANNE
WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Washington Tax Map 8, Lot# 1

2003-02691 BEAUREGARD REVOC TRUST OF 2000, ROBERT
TROY Unnamed Stream

COMPLETE NOTIFICATION:
Troy Tax Map 20, Lot# 34

2003-02692 BLUEFISH CONSTRUCTION CO, LLC
RAYMOND Unnamed Stream

COMPLETE NOTIFICATION:
Raymond Tax Map 3, Lot# 3 & 4

2003-02696 MACLEAN, SANDRA
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 7, Lot # 32-12

2003-02697 LECLAIR, MARC & MARYANN
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Brookfield Tax Map 27, Lot# 8

2003-02698 CANTERBURY SHAKER VILLAGE
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 15, Lot# 40

2003-02699 HIGH-FOREST PARTNERS, LLC
KEENE Unnamed Stream

COMPLETE NOTIFICATION:

Keene Tax Map 904, Lot# 1-1, 1-3 & 1-4

2003-02700 HIGH-FOREST PARTNERS, LLC
SULLIVAN Unnamed Stream

COMPLETE NOTIFICATION:

Sullivan Tax Map 5, Lot# 46

2003-02701 HIGH-FOREST PARTNERS, LLC
ROXBURY Unnamed Stream

COMPLETE NOTIFICATION:

Roxbury Tax Map 1, Lot# , 9, 16-5, 16-6 & 167

EXPEDITED MINIMUM

2001-00316 LACONIA COUNTRY CLUB
LACONIA

Requested Action:

Approve name change to: Country Club Shores on Lake Opechee, PO Box 7434, Gilford, NH 03249 per request received 12/11/03.

APPROVE NAME CHANGE:

Fill 1,005 sq. ft. of forested wetland and install an 18"x 32' culvert to provide driveway access to one lot in a proposed two lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, L.L.C. dated February 19, 2001 and Yerkes Surveying Consultants dated January 15, 2001, as received by the Department on February 23, 2001.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-00735 DAVIDSON, ANNETTE
SPOFFORD Otto Richter Pond

Requested Action:

Maintenance dredge two existing man-made farm ponds associated with Dam #45.13

Conservation Commission/Staff Comments:

The Chesterfield Conservation Commission expressed concerns that this project would adversely impact wildlife.

APPROVE PERMIT:

Maintenance dredge two existing man-made farm ponds associated with Dam #45.13

With Conditions:

1. All work shall be in accordance with original plans by U.S. Department of Agriculture Soil Conservation Service dated 5 October, 1958, as received by the Department on November 12, 2003, and the construction narrative by Thayer R. Fellows, dated March 15, 2003, as received by the Department on April 25, 2003.
2. This permit is contingent on approval by the DES Dam Safety Program for any work directly connected with the outlet structure, spillway or dam.
3. Work shall be done during drawdown.
4. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. All steps shall be taken during the construction necessary to assure that no water quality violations occur on the Property.
6. Repair shall maintain existing size and configuration.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and nesting areas shall be avoided.
9. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
10. Area shall be regraded to original contours following completion of work.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that this pond was not previously permitted or grandfathered.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredge of a man-made pond.

2003-01919 MACKEY, ROBIN
PLAINFIELD Unnamed Wetland

Requested Action:

Install 18-inch x 23 foot culvert impacting 540 square feet of forested wetland for access to a proposed residential dwelling.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application form.

APPROVE PERMIT:

Install 18-inch x 23 foot culvert impacting 540 square feet of forested wetland for access to a proposed residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by Northeast Septic Design dated August 12, 2003, as received by the Department on November 18, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.

2003-02533 BURNS SPECIAL NEEDS TRUST, COREY
SANDWICH Unnamed Wetland

Requested Action:

Install a 15-inch x 24 foot culvert impacting 560 square feet of forested wetland for access to a proposed building location.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

APPROVE PERMIT:

Install a 15-inch x 24 foot culvert impacting 560 square feet of forested wetland for access to a proposed building location.

With Conditions:

1. All work shall be in accordance with plans by Hambrook Land Surveying dated October 2003, as received by the Department on November 12, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning

- seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
 8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 9. Proper headwalls shall be constructed within seven days of culvert installation.
 10. Culvert outlets shall be properly rip rapped.
 11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02534 FINCH PARSONS,LLC
MEREDITH Lake Waukegan

Requested Action:

Repair a 4 ft x 17 ft wharf and a 3 ft 2 in x 21 ft wharf in an "L" configuration on an average of 85 ft frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Repair a 4 ft x 17 ft wharf and a 3 ft 2 in x 21 ft wharf in an "L" configuration on an average of 85 ft frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans dated October 24, 2003, as received by the Department on November 12, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04 (a), repair of a legally existing structure.

2003-02535

ROY, RYAN & AMANDA

HENNIKER Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,628 square feet of palustrine forested wetlands and install (2) 24" x 18' culverts to provide access to 1 lot of a 3-Lot subdivision

APPROVE PERMIT:

Dredge and fill approximately 2,628 square feet of palustrine forested wetlands and install (2) 24" x 18' culverts to provide access to 1 lot of a 3-Lot subdivision

With Conditions:

1. All work shall be in accordance with Proposed Site plan by Jones & Beach Engineers, Inc. dated September 3, 2003, and Lot Line Adjustment plan dated October 7, 2003, as received by the Department on November 12, 2003 and detail plan sheets received December 12, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on a recorded easement for construction of the driveway for Map 1 Lot 675-B on Map 1 Lot 675. No construction activities for the driveway to Lot 675-B can proceed until the Wetlands Bureau has received a recorded copy of the easement granting access.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02553

POISSON, SARA

CLAREMONT Unnamed Pond

Requested Action:

Dredge approximately 8,000 square feet of an existing pond to provide continued usefulness

APPROVE PERMIT:

Dredge approximately 8,000 square feet of an existing pond to provide continued usefulness

With Conditions:

1. All work shall be in accordance with plans by the USDA/NRCS dated August 26, 2003, as received by the Department on November 14, 2003. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
2. Work shall be done during drawdown.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-02565 BROWN REVOC TRUST, DONNA
RYE Tidal Buffer**

Requested Action:

Impact 1,655 square feet of developed upland tidal buffer zone for the installation of a new septic system and enviro-septic leaching system, and associated temporary impacts.

APPROVE PERMIT:

Impact 1,655 square feet of developed upland tidal buffer zone for the installation of a new septic system and enviro-septic leaching system, and associated temporary impacts.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated October 2003, as received by the Department on November 13, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Site Specific Program.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.

2003-02578 CLYMER, JOHN
HILLSBOROUGH Unnamed Pond

Requested Action:

Maintenance dredge a 6,500 square foot farm pond to maintain usefulness

APPROVE PERMIT:

Maintenance dredge a 6,500 square foot farm pond to maintain usefulness

With Conditions:

1. All work shall be in accordance with plans by Green Horizon Landscaping, Inc., as received by the Department on November 18, 2003.
2. Work shall be done during drawdown.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(k), Maintenance dredging, when necessary to provide continued usefulness, of nontidal drainage ditches, man-made ponds, and spillways.

2003-02591 DRED, RUSSELL ABBOTT ST FOREST
MASON Unnamed Wetland

Requested Action:

Impact approximately 100 square feet of palustrine scrub shrub wetlands to install one pole for PSNH transmission line #3155

APPROVE PERMIT:

Impact approximately 100 square feet of palustrine scrub shrub wetlands to install one pole for PSNH transmission line #3155

With Conditions:

1. All work shall be in accordance with plans by PSNH dated September 18, 2003, as received by the Department on November 17, 2003.
2. Work to be conducted during frozen conditions.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2003-02489 HAMEL, GERARD
NEWMARKET Unnamed Pond

Requested Action:

Dredge 5,750 square feet of an existing irrigation pond and dredge 14,000 square feet of manmade drainage ditches. Project impacts total 19,750 square feet of dredging in nontidal, manmade wetlands.

Inspection Date: 12/05/2003 by Christina Altimari

APPROVE PERMIT:

Dredge 5,750 square feet of an existing irrigation pond and dredge 14,000 square feet of manmade drainage ditches. Project impacts total 19,750 square feet of dredging in nontidal, manmade wetlands.

With Conditions:

1. All work within the irrigation pond shall be in accordance with drawing #APD-216 for the dugout pond by US Department of Agriculture, Soil Conservation Service dated March 14, 1956, as received by the Department on November 4, 2003.
2. All work within the drainage ditches shall be in accordance with plans for the vegetated waterways by US Department of Agriculture, Soil Conservation Service (Designed by Richard Ellsmore) dated June 2003, as received by the Department on

November 4, 2003.

3. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
6. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(u) maintenance or improvement of existing crop or pasture land for continued agricultural use, has been considered in the design of the project.
5. NH Fish & Game Department (NHF&G) has record of two species of special concern within the project vicinity, the Blanding's Turtle and the Spotted Turtle. DES field inspection on December 5, 2003 finds irrigation pond and drainage ditches were manmade for agricultural purposes and therefore that the project area is not likely to contain appropriate turtle habitat.